

CITY OF PASADENA
City Council Minutes
June 9, 2014 – 5:30 P.M.
City Hall Council Chamber

REGULAR MEETING

OPENING:

Mayor Bogaard called the regular meeting to order at 5:31 p.m.
(Absent: Councilmember Madison)

On the order of the Mayor, the regular meeting recessed at 5:31 p.m., to discuss the following closed session:

CITY COUNCIL CONFERENCE WITH LEGAL COUNSEL
regarding pending litigation pursuant to Government Code
Section 54956.9(d)(1)

Name of Case: Kenneth McDade, Anya Slaughter, and the
Estate of Kendrec McDade v. City of Pasadena

Case No.: CV12-02892 DMG (JCGx)

The above closed session item was discussed, with no reportable action at this time.

On order of the Mayor, the regular meeting reconvened at 6:33 p.m. The pledge of allegiance was led by Councilmember Tornek.

ROLL CALL:

Councilmembers:

Mayor Bill Bogaard
Vice Mayor Jacque Robinson
Councilmember Victor Gordo (Arrived at 6:36 p.m.)
Councilmember John J. Kennedy
Councilmember Margaret McAustin
Councilmember Steve Madison (Absent)
Councilmember Gene Masuda
Councilmember Terry Tornek

Staff:

City Manager Michael J. Beck
City Attorney Michele Beal Bagneris
City Clerk Mark Jomsky

CEREMONIAL MATTERS

Councilmember Gordo arrived
at 6:36 p.m.

The City Clerk administered the oath of office to Joy Rittenhouse as Accessibility and Disability Commissioner.

PUBLIC COMMENT ON
MATTERS NOT ON THE
AGENDA

Meriel Stern, Chair of the Arts and Culture Commission, spoke on behalf of the Commission, and thanked the City Council and staff for its continued support during the implementation stages of the Public Arts Master Plan, specifically in terms of funding.

Sandy Carter, Chapter Board President of Pasadena Association of Clerical and Technical Employees (PACTE/LIUNA) Local 777, (and City employee), and Jennifer Wozniak, LIUNA Local 777 representative, expressed concerns regarding the bargaining unit's denied request for a salary reopener, noting that employees have not received a salary increase in six years, and asked that the City re-consider approving a 2% salary increase for PACTE/LIUNA employees.

CONSENT CALENDAR

AUTHORIZE A PURCHASE ORDER WITH SHI INTERNATIONAL CORPORATION FOR THE PURCHASE OF 200 GLOBAL POSITIONING SATELLITE TRACKING SYSTEMS FOR A NOT-TO-EXCEED AMOUNT OF \$288,650

Recommendation:

- (1) Find that the proposed action is exempt from the California Environmental Quality Act (CEQA) in accordance with Section 15061(b)(3), the General Rule that CEQA only applies to projects that may have an effect on the environment;
- (2) Neither competitive bidding nor competitive selection is required pursuant to City Charter Section 1002(H), and Pasadena Municipal Code Section 4.08.049; and
- (3) Authorize the City Manager to approve a purchase order with SHI International Corporation in an amount not to exceed \$288,650 over a three-year period, with an option for two, one-year additional terms, at the discretion of the City Manager, for a maximum total contract length of five years, for the purchase of 200 Global Positioning Satellite (GPS) tracking systems without competitive bidding pursuant to City Charter Section 1002(H), contracts with other governmental entities or their contractors for labor, material, supplies or services.

AUTHORIZATION TO ENTER INTO A PURCHASE ORDER CONTRACT WITH UNIFIRST FOR CITYWIDE UNIFORM RENTAL SERVICE

Recommendation:

- (1) Find that the proposed contract is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15061(b)(3), General Rule; and
- (2) Accept the bid dated April 22, 2014, submitted by UniFirst, in response to the Specification for Citywide Uniform Rental Services, authorize the City Manager to enter into a three-year contract, with one optional three-year extension, subject to the approval of the City Manager and without further City Council approval, with UniFirst. The contract amount of \$125,000 may be held constant or be increased by an amount equal to the change in the Consumer Price Index (CPI) for the Los Angeles-Orange-Riverside counties for the preceding 12-month period.

MUNICIPAL SERVICES
COMMITTEE

MUNICIPAL SERVICES COMMITTEE: AUTHORIZATION TO ENTER INTO A CONTRACT WITH OPOWER, INC., FOR A TOTAL AMOUNT NOT TO EXCEED \$789,000, FOR SERVICES TO PROVIDE HOME ENERGY USE REPORTS AND CUSTOMER WEB PORTAL

Recommendation:

- (1) Find that the proposed action is exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15061(b)(3); and
- (2) Authorize the City Manager to enter into a contract with OPower, Inc., ("OPower"), for a total amount not to exceed \$789,000, for services to provide home energy use reports to all eligible Pasadena Water and Power ("PWP") residential customers for two years. Neither competitive bidding nor competitive selection is required pursuant to City Charter Section 1002(F), and Pasadena Municipal Code Section 4.08.049. (Contract No. 21,851)

MINUTES APPROVED

May 26, 2014

CLAIMS RECEIVED AND
FILED

Claim No. 12,179	Rupert V. Whitley, Jr.	\$ 7,740.00
Claim No. 12,180	Juliet Savage	2,121.66
Claim No. 12,181	Yvonne Miles	25,000.00+
Claim No. 12,182	Gennie V. Mayberry (Malone)	Not Stated

It was moved by Councilmember Gordo, seconded by Vice Mayor Robinson, to approve all items on the Consent Calendar. (Motion unanimously carried) (Absent: Councilmember Madison)

INFORMATION ITEM

PREDEVELOPMENT PLAN REVIEW OF AN AMENDMENT TO THE MASTER PLAN LOCATED AT 135 NORTH OAKLAND AVENUE (FULLER THEOLOGICAL SEMINARY)

Recommendation: This report is intended to provide information to the City Council. No action is required.

Vincent Bertoni, Director of Planning and Community Development, introduced the agenda item, and Denver Miller, Principal Planner, reviewed the agenda report as part of a PowerPoint presentation, and responded to questions.

Councilmember Tornek expressed concerns regarding the proposed amendment, and urged the staff to carefully study the impacts associated with amending the Master Plan prior to returning to the City Council.

Councilmember Kennedy suggested that staff invite a representative of Fuller Theological Seminary to a future City Council meeting to discuss the impacts of reducing the number of affordable housing units at Fuller Theological Seminary.

In response to Councilmembers Kennedy and Tornek, Mr. Bertoni noted that discussions will be held with Fuller Theological Seminary and the applicant regarding the impacts associated with an amendment to the Master Plan, and stated that the Master Plan and the Development Agreement will be closely examined to ensure that any changes will continue to maintain the original goals, specifically as it relates to affordable housing. He also mentioned that following the required steps of a review by the Design and Planning Commissions, staff will present the findings to City Council at a meeting in the future.

Councilmember Gordo stated concerns regarding the proposed amendment, specifically relating to the removal of open space, noting that it is an important component of the adopted Master Plan. He also requested that staff include as part of future presentations to the City Council, the interplay of the green space with the Seminary's campus and overall Master Plan.

The following persons spoke in opposition to, and/or, expressed concerns regarding the proposed amendment to the Fuller Theological Seminary Master Plan:

Michelle White, Affordable Housing Services,
Jill Shook, Pasadena resident, submitted written
comments/concerns
Jin Gwak, student of Fuller Theological Seminary

Following discussion, on order of the Mayor, the information was received and filed.

PUBLIC HEARINGS

PUBLIC HEARING: APPROVAL OF THE SUBMISSION TO U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT OF THE ANNUAL ACTION PLAN (2014-15) AND RELATED FUNDING ALLOCATIONS FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT; EMERGENCY SOLUTIONS GRANT; HOME INVESTMENT PARTNERSHIP ACT; AND PASADENA ASSISTANCE FUND
Recommendation: It is recommended that the City Council adopt a resolution:

(1) Approving the Annual Action Plan (2014-15) as an application to the U.S. Department of Housing and Urban Development (HUD) for funding under the Community Development Block Grant (CDBG); Emergency Solutions Grant (ESG); and HOME Investment Partnership Act (HOME) programs, consistent with the guidelines outlined in the agenda report;

(2) Approving an application for CDBG funds in the amount of \$1,795,378; and the allocation of CDBG funds from program income in the amount of \$43,175, for a total of \$1,838,553 for 2014-15 CDBG program activities. Specific agency and City Set-Aside awards can be found in Attachments A, B, and C of the agenda report;

(3) Approving an application for ESG funds in the amount of \$144,224; the reprogramming of unspent ESG carryover funds from prior program years in the amount of \$15,367, for a total of \$159,591 for 2014-15 ESG program activities. Specific ESG awards can be found in Attachment A of the agenda report;

(4) Approving an application for HOME funds in the amount of \$560,368 for 2014-15 HOME program activities. Specific activities funded through HOME can be found in Attachment D of the agenda report; and

(5) Approving the allocation of local Pasadena Assistance Funds (PAF) in the amount of \$80,000 for 2014-16 human services activities. Specific agency awards can be found in Attachment A of the agenda report.

Advisory Commission Recommendations: On April 24, 2014, the Northwest Commission recommended that the City Council approve the one-year funding allocations for the CDBG projects listed in Attachment B of the agenda report.

On May 14, 2014, the Human Services Commission recommended that the City Council approve the two-year funding allocations for CDBG, ESG, and the Pasadena Assistance Fund (PAF) listed in Attachment A of the agenda report. (Resolution No. 9348)

The Mayor opened the public hearing.

The City Clerk reported the notice of public hearing was published on May 8, 2014 in the Pasadena Journal; and no correspondence was received.

William Huang, Director of Housing and Career Services, introduced the agenda item, and Anne Lansing, Project Planner, reviewed the agenda report as part of a PowerPoint presentation, and responded to questions.

Councilmember Kennedy stated his opposition to the staff's recommendation regarding the allocation of \$100,000 of Community Development Block Grant (CDBG) Non-Public Service funds to the Pasadena Unified School District (PUSD) for the Peoria Place School Site project, and noted that funding has already been provided to PUSD to handle such needs through voter-approved capital improvement bonds under Measure TT.

Vice Mayor Robinson requested that staff provide additional information on the non-public service category of the CDBG Grant Program, and a breakdown of the proposed budget for the \$100,000 assigned to PUSD for the Peoria Place School Site Renovation project, including any additional funds cited by PUSD on its application that will be leveraged for the project.

Mary Donnelly-Crocker, Executive Director of Young and Healthy, spoke in regard to the Peoria Place School Site Renovation project, stated the objectives of Young and Healthy in partnership with PUSD, and asked the City for its support of the project.

It was moved by Councilmember Gordo, seconded by Councilmember Tornek, to close the public hearing. (Motion unanimously carried) (Absent: Councilmember Madison)

Following discussion, it was moved by Councilmember Gordo, seconded by Councilmember Kennedy, to approve the staff recommendation, with the exception of the CDBG Non-Public Service component of the Annual Action Plan:

AYES: Councilmembers Gordo, Kennedy, Masuda, McAustin, Tornek, Vice Mayor Robinson, Mayor Bogaard
NOES: None
ABSENT: Councilmember Madison

Following discussion, it was moved by Councilmember Gordo, seconded by Councilmember McAustin, to approve the staff recommendation related to the CDBG Non-Public Service component of the Annual Action Plan:

AYES: Councilmembers Gordo, Masuda, McAustin, Tornek, Vice Mayor Robinson, Mayor Bogaard
NOES: Councilmember Kennedy
ABSENT: Councilmember Madison

PUBLIC HEARING: DESIGNATION OF THE HOUSE AT 397 NORTH CATALINA AVENUE AS A LANDMARK

Recommendation:

- (1) Find that the designation of a historic resource is categorically exempt from the California Environmental Quality Act (CEQA Guidelines Section 15308: Class 8 – Actions by Regulatory Agencies for the Protection of the Environment);
- (2) Find that the house at 397 North Catalina Avenue is significant under Criterion “C” for designation as a landmark (Pasadena Municipal Code Section 17.62.040) because it is an intact example of a late 19th/early 20th Century Vernacular Hipped Cottage with influences of the Queen Anne style and the Arts and Crafts movement;

(3) Adopt a resolution approving a Declaration of Landmark Designation for 397 North Catalina Avenue, Pasadena, California;

(4) Authorize the Mayor to execute the Declaration of Landmark Designation for 397 North Catalina Avenue, Pasadena, California; and

(5) Direct the City Clerk to record the declaration with the Los Angeles County Recorder.

Historic Preservation Commission Recommendation: On Tuesday, April 1, 2014, the Historic Preservation Commission recommended that the City Council approve the designation of the house at 397 North Catalina Avenue as a landmark under Criterion C of Pasadena Municipal Code Section 17.62.040. (Resolution No. 9347)

The Mayor opened the public hearing.

No one appeared for public comment.

The City Clerk reported 25 copies of the notice of public hearing were posted on May 23, 2014; 143 copies of the notice were mailed on May 23, 2014; and no correspondence was received.

It was moved by Councilmember Gordo, seconded by Councilmember Masuda, to close the public hearing. (Motion unanimously carried) (Absent: Councilmember Madison)

It was moved by Councilmember Gordo, seconded by Councilmember Masuda, to approve the staff recommendation. (Motion unanimously carried) (Absent: Councilmember Madison)

RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS

GENERAL PLAN UPDATE – DEVELOPMENT CAPS FOR EAST PASADENA AND EAST COLORADO SPECIFIC PLANS

Recommendation: It is recommended that the City Council provide direction to staff on the development caps for the East Pasadena and East Colorado Specific Plans.

Vincent Bertoni, Director of Planning and Community Development, and Scott Reimers, Senior Planner, summarized the agenda report as part of a PowerPoint presentation, and responded to questions.

MOTION

Following discussion, Councilmember Masuda moved, seconded by Councilmember Gordo, to adopt "Alternative 1" as identified on Page 3 of the staff report (dividing the East Colorado Specific Plan into two specific plans and reducing the residential development caps), creating the Lamanda Park Specific Plan, and modifying the residential development caps so as to limit the caps to 850 housing units in District 4.

The following persons spoke in support of the Lamanda Park Specific Plan:

Sandi Mejia, Pasadena resident
Alfredo Mejia, Pasadena resident

Councilmembers Tornek and Gordo requested clarification regarding the staff presentation as to the number of residential development units proposed within the East Pasadena Specific Plan, and stated the goal was to move from two specific plans to three specific plans, with no reduction in the total number of residential units for the studied area.

Councilmember McAustin expressed concerns regarding any action to reduce the residential development caps from 1350 for the studied area, noting that the allocated cap levels were part of the Environmental Impact Report. She also stated that the specific plan boundaries are not intended to align with City Council district boundaries.

Following discussion, the motion was withdrawn.

In response to Councilmember Tornek's stated concern regarding studying only the East Pasadena Specific Plan, Councilmember Gordo asked that all three specific plan areas (East Pasadena Specific Plan, East Colorado Specific Plan, and the proposed Lamanda Park Specific Plan) be studied under Alternative "B", with staff to consider a reallocation of the 1350 residential development caps within the three specific plan areas.

In response to the City Manager's concern, Councilmember Gordo stated that staff's analysis needs to ensure that any reallocation of residential development caps does not exceed 1350 for the three specific plan areas studied under the Environmental Impact Report (EIR).

Councilmember Kennedy suggested that this issue be tabled to allow staff to do further research and provide a more complete report.

Mr. Bertoni indicated that staff will meet with the EIR Consultant to ensure that the proposed alternative to be studied is acceptable under the adopted EIR.

Councilmember Gordo indicated that so long as staff and the Consultant agree that the proposed alternative to be studied can proceed without creating complications to the EIR, then staff has the authority to proceed with the study without returning to the City Council.

The City Manager noted that staff will provide an update regarding the outcome of the meeting with the Consultant in the weekly newsletter for review by the City Council.

Following discussion, it was moved by Councilmember Masuda, seconded by Councilmember Gordo, to study as an alternative a reallocation of the 1350 residential development caps amongst East Colorado Specific Plan, East Pasadena Specific Plan, and a new Lamanda Park Specific Plan area, in the context of possibly reducing the development caps among the three specific plans, to be considered as an alternative, and report back to the City Council with information on the findings. (Motion carried, with Councilmember Kennedy abstaining)
(Absent: Councilmember Madison and McAustin)

PUBLIC HEARINGS
(CONTINUED)

CONTINUED PUBLIC HEARING: FISCAL YEAR 2015 CITY MANAGER'S RECOMMENDED OPERATING BUDGET

Recommendation:

- (1) Receive public comments on the City Manager's Recommended Fiscal Year (FY) 2015 Operating Budget; and
- (2) Continue this public hearing to each subsequent regular meeting of the City Council at 7:00 p.m., until June 16, 2014, or such other date as the City Council may determine, and at which time the City Council will be asked to close the public hearing and formally adopt the FY 2015 City Manager Recommended Operating Budget.

The Mayor announced that now was the time for the continued public hearing.

No one appeared for public comment.

Councilmember Tornek, Chair of the Finance Committee reported on the special joint meeting of the City Council and Finance Committee held on June 9, 2014 at 2:00 p.m., and noted that the next scheduled special joint meeting of the City Council and Finance Committee will be held on June 16, 2014 at 7:00 p.m.

By consensus and on order of the Mayor, the City Council continued the public hearing to June 16, 2014 at 7:00 p.m.

CONTINUED PUBLIC HEARING: FISCAL YEAR 2015 RECOMMENDED GENERAL FEE SCHEDULE

Recommendation:

- (1) Receive public comments on the Fiscal Year (FY) 2015 Recommended General Fee Schedule; and
- (2) Continue this public hearing to each subsequent regular meeting of the City Council at 7:00 p.m., until June 16, 2014, or such other date as the City Council may determine, and at

which time the City Council will be asked to close the public hearing and formally adopt the FY 2015 General Fee Schedule.

The Mayor announced that now was the time for the continued public hearing.

No one appeared for public comment.

By consensus and on order of the Mayor, the City Council continued the public hearing to June 16, 2014 at 7:00 p.m.

**CONTINUED PUBLIC HEARING: FISCAL YEAR 2015
RECOMMENDED SCHEDULE OF TAXES, FEES, AND
CHARGES**

Recommendation:

- (1) Receive public comments on the Fiscal Year (FY) 2015 Recommended Schedule of Taxes, Fees, and Charges; and
- (2) Continue this public hearing to each subsequent regular meeting of the City Council at 7:00 p.m., until June 16, 2014, or such other date as the City Council may determine, and at which time the City Council will be asked to close the public hearing and formally adopt the FY 2015 Schedule of Taxes, Fees, and Charges.

The Mayor announced that now was the time for the continued public hearing.

No one appeared for public comment.

By consensus and on order of the Mayor, the City Council continued the public hearing to June 16, 2014 at 7:00 p.m.

COUNCIL COMMENTS

Vice Mayor Robinson spoke on the retirement of Dr. Winston Gooden, Dean of Psychology at Fuller Theological Seminary, and asked the City Council to join her in wishing him well in his retirement.

Vice Mayor Robinson also shared a letter from Supervisor Antonovich stating his opposition to the Property Assessed Clean Energy (PACE) program due to the significant negative impacts it will have on homeowners.

In response to Vice Mayor Robinson, Councilmember McAustin indicated that the PACE program has been reviewed twice by the Municipal Services Committee, and that the final decision was to not recommend such a program to the City, and noted that a letter is being drafted to Supervisor Antonovich to advise him of the City's decision. The City Manager added that a comprehensive response from the San Gabriel Valley Council of Governments (SGVCOG) to the PACE program will be included in the City Manager's Weekly letter.

Councilmember Masuda inquired about the General Plan Ad Hoc Committee, and requested that the City Attorney report back to City Council with information on the formation date and charge of the General Plan Ad Hoc Committee.

Councilmember Kennedy reported on the failing health of the City's former Police Chief, Bruce Philpott, and asked that the City Council keep him in its thoughts.

Mayor Bogaard mentioned that the Senior Commission has requested a minor change in the ordinance to convert one of the "agency positions" to the Pasadena Senior Center's designation, and asked the City Attorney to prepare a brief analysis of the ordinance, and report back to City Council for a formal action.

ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council adjourned at 9:46 p.m.

Bill Bogaard, Mayor
City of Pasadena

ATTEST:

City Clerk